

REMARKS

Claims 1, 3-8, 15 and 16 are currently pending. Applicant notes with appreciation the indication in the Non-Final Office Action of June 2, 2005, that claims 4, 15 and 16 have been allowed. Applicant respectfully submits that Claims 1, 3 and 5-8, as amended, are also in allowable form. Claim 1 has been amended to recite that the perpendicular orientation promoting underlayer is formed of Ti or a Ti alloy.

The Office Action included a rejection of Claims 1-3, 5-6 and 8 under 35 U.S.C. §102(b) as allegedly being anticipated by the *Tang et al.* patent (U.S. Patent No. 5,750,270); and a rejection of Claim 7 under 35 U.S.C. §103(a) as allegedly being unpatentable over the *Tang et al.* patent in view of the *Haratani et al.* patent (U.S. Patent No. 6,420,058). These rejections are respectfully traversed.

Tang et al. discloses a magnetic recording media comprising cobalt or an alloy of cobalt atop a nucleating layer of palladium, all atop a soft magnetic ("keeper") layer (see *Tang et al.* at column 8, lines 40-54 and Figure 1). However, as noted in the Office Action, *Tang et al.* fails to disclose or suggest use of a Ti-containing perpendicular orientation promoting layer. Because *Tang et al.* clearly fails to anticipate or render obvious the claimed subject matter, Claim 1 is deemed patentable.

The Official Action cited *Haratani et al.* for disclosing a protective layer and a lubricant layer on top of a magnetic recording medium. However, *Haratani et al.* does not disclose or suggest a perpendicular orientation promoting layer comprising Ti or a Ti alloy. Thus, Applicant respectfully submits that *Haratani et al.* does not remedy the deficiencies of *Tang et al.* as applied to Claim 1.

Accordingly, Applicant respectfully submits, at least for the reasons discussed above, that Claim 1, and all the claims dependent therefrom, are clearly patentable over the combination of *Tang et al.* and *Haratani et al.* Reconsideration and allowance of the above-captioned application, including all the pending claims, Claims 1, 3 and 5-8, is respectfully requested. Should any residual issues exist, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,

BUCHANAN INGERSOLL PC
(INCLUDING ATTORNEYS FROM BURNS, DOANE,
SWECKER & MATHIS, LLP)

Date: August 25, 2005

By: 

Charles F. Wieland III
Registration No. 33,096

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620